

99-0565R G.R.S. v. Smith's Food & Drug Stores Issued: 3/11/02

G. R. S. asks the Utah Labor Commission to reconsider its decision affirming the Administrative Law Judge's denial of Mrs. S.'s claim for benefits under the Utah Workers' Compensation Act ("the Act"; Title 34A, Chapter 2, Utah Code Ann.).

The Labor Commission exercises jurisdiction over this motion for review pursuant to Utah Code Ann. §63-46b-12, Utah Code Ann. §34A-2-801(3) and Utah Admin. Code R602-2-1.M.

BACKGROUND AND ISSUE PRESENTED

The ALJ concluded that Mrs. S.'s exposure to "Captan" at Smith's Food & Drug Stores was not the medical cause of the injuries for which she now seeks workers' compensation benefits. On that basis, the ALJ denied Mrs. S.'s application for benefits. The Commission affirmed the ALJ's decision. Mrs. S. now asks the Commission to reconsider its decision. However, Mrs. S. has not specified any grounds supporting reconsideration.

DISCUSSION AND CONCLUSION OF LAW

Having again reviewed Mrs. S.'s claim, the Commission finds that the preponderance of evidence does not establish Mrs. S.'s work at Smith's as the cause of her medical problems. Therefore, the Commission finds no basis to change its prior decision in this matter.

ORDER

The Commission reaffirms its prior decision and denies Mrs. S.'s request for reconsideration. It is so ordered.

Dated this 11th day of March, 2002.

R. Lee Ellertson, Commissioner